

FINDINGS OF FACT

1. The Dental Board is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding pursuant to the authority granted to it in Chapter 90 of the North Carolina General Statutes, including the Dental Hygiene Act and the Rules and Regulations of the North Carolina State Board of Dental Examiners.

2. Respondent was licensed to practice dental hygiene in North Carolina on June 14, 2000 and holds license number 6399.

3. At all times relevant hereto, Respondent was subject to the Dental Hygiene Act and the Board's rules and regulations promulgated thereunder.

4. On August 27, 2010, the Respondent entered into a Consent Order with the Dental Board (hereafter, Consent Order). The Consent Order found that the Respondent had violated the Dental Hygiene Act by

- (a) being a chronic or persistent user of intoxicants to the extent that her ability to practice dental hygiene was impaired, in violation of G.S. § 90-229(a)(4); and
- (b) engaging in fraud, deceit or misrepresentation in obtaining the renewal of her dental hygiene license in 2003 and 2009 by failing to reveal, respectively, her 2002 and 2009 DWI arrests, in violation of G.S. § 90-229(a)(1).

5. The Consent Order suspended the Respondent's dental hygiene license for two years, but reinstated her license without any period of active suspension on condition that the Respondent:

- (a) signed a contract with the Caring Dental Professionals (CDP) and complied with all provisions of the contract;
- (b) participated in the Board's drug screening program; and
- (c) complied with all provisions of the Dental Hygiene Practice Act and the Board's rules and regulations.

6. The Consent Order has not been modified or vacated.

7. The Respondent signed a CDP contract on August 27, 2010.

8. The Respondent withdrew from the CDP program on September 22, 2010 without the consent of the CDP or the Dental Board and without completing the terms of her contract.

9. The Respondent violated her CDP contract by withdrawing from the CDP, failing to meet with her peer assistant at least twice per month, failing to meet with Dr. Bill Bullock, failing to attend individual counseling at least twice per month and failing to participate in the CDP drug screening program.

Based upon the consent of the parties and the Findings of Fact, the Board enters the following:

CONCLUSIONS OF LAW

1. The North Carolina State Board of Dental Examiners has jurisdiction over the subject matter of this action and over the person of the Respondent.

2. By violating the terms of her CDP contract, the Respondent engaged in unprofessional conduct as defined in 21 NCAC 16V .0101(13) and thereby violated G.S. §90-229(a)(12).

3. The Respondent violated the terms of the Consent Order by failing to participate in the CDP drug screening program and thereby engaged in unprofessional conduct as defined by 21 NCAC 16V .0101(4), in violation of G.S. § 90-229(a)(12).

Based upon the foregoing Findings of Fact and Conclusions of Law and with the consent of the parties, the Board hereby enters the following

ORDER OF DISCIPLINE


1. License number 6399 issued to Respondent for the practice of dental hygiene in North Carolina is hereby suspended indefinitely. Respondent shall surrender her original license and current renewal certificate to the Board office immediately.

2. Respondent may petition the Board for the reinstatement of her dental hygiene license after completing the following:

- (a) Respondent shall enter into a contract with the North Carolina Caring Dental Professionals (CDP). The terms of the contract are at the sole discretion of the CDP. Respondent must comply with all provisions of that contract. Respondent shall sign a release with the Caring Dental Professionals permitting them to submit monthly reports to the Board regarding her progress in the program.

- (b) Respondent shall obtain advocacy from the Caring Dental Professionals supporting Respondent's return to the active practice of dental hygiene.

This the 14 day of February, 2011.

BY: 
Terry W. Friddle
Deputy Operations Officer

STATEMENT OF CONSENT

I, ALLISON L. FOSTER, R.D.H., do hereby certify that I have read the foregoing Consent Order in its entirety and that I do freely and voluntarily admit, exclusively for the purposes of this disciplinary proceeding and any other disciplinary or licensure proceedings before this Board or any other Dental Hygiene Licensing Board, that there is a factual basis for the Findings of Fact set forth therein, that the Findings of Fact, if proven, support the Conclusions of Law, that I will not contest the Findings of Fact should further disciplinary action be warranted in this matter, and that I assent to the terms and conditions set forth therein. By signing this Statement of Consent I hereby express my understanding that the Board will report the contents of this Consent Order to the National Practitioner Data Bank and that this Consent Order shall become a part of the permanent public record of the Board.

This the 2nd day of February, 2011.



ALLISON L. FOSTER, R.D.H.